## 147.114 Prior informed consent relative to pelvic examinations — patient under anesthesia or unconscious — penalties.

- 1. A person licensed or certified to practice a profession, or a student undertaking a course of instruction or participating in a clinical training or residency program for a profession, shall not perform a pelvic examination on an anesthetized or unconscious patient unless one of the following conditions is met:
- a. The patient or the patient's authorized representative provides prior written informed consent to the pelvic examination, and the pelvic examination is necessary for preventive, diagnostic, or treatment purposes.
- b. The patient or the patient's authorized representative has provided prior written informed consent to a surgical procedure or diagnostic examination to be performed on the patient, and the performance of a pelvic examination is within the scope of care ordered for that surgical procedure or diagnostic examination.
- c. The patient is unconscious and incapable of providing prior informed consent, and the pelvic examination is necessary for diagnostic or treatment purposes.
- d. A court has ordered the performance of the pelvic examination for the purposes of collection of evidence.
- 2. A person who violates this section is subject to the penalty specified under section 147.86, and any professional disciplinary provisions, as applicable. 2017 Acts, ch 174, §111